

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

<b>LAYLA WILLIAMS,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:11-cv-00251
	)	Judge Trauger
	)	
<b>STATE OF TENNESSEE, DEPARTMENT</b>	)	<b>JURY DEMAND</b>
<b>OF CHILDREN’S SERVICES,</b>	)	
	)	
Defendant.	)	

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**~~PROPOSED~~ INITIAL CASE MANAGEMENT ORDER**

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**A. JURISDICTION**

This court has jurisdiction of this case pursuant to **28 U.S.C. § 1331** and **28 U.S.C. § 1343**.

**B. BRIEF THEORIES OF THE PARTIES**

**1. Plaintiff’s theory of the case:**

Plaintiff **LAYLA WILLIAMS** has filed this cause of action pursuant to the **Sex Discrimination and Employment Act of 1967, 29 U.S.C. §623**. It is the **PLAINTIFF'S** theory that she was subjected to disparate treatment and a hostile work environment after she reported concerns about the treatment of a juvenile who was assigned to her supervision. The juvenile, Darian J., was sentenced to a Tennessee Youth Development Center illegally, and was held at that facility after the Criminal Court for Roane County, Tennessee ordered his release. The **PLAINTIFF'S** alternative

theories are also filed pursuant to a violation of the **Tennessee Whistle Blower Act, T.C.A. 50-1-304**, common law constructive and retaliatory discharge, and unconstitutional retaliation of the plaintiff's exercise of her First Amendment rights, pursuant to **42 U.S.C. 1983, the First and Fourteenth Amendments to the United States Constitution.**

2. **Defendant's theory of the case:**

It is the position of the **Defendant** that **Plaintiff** voluntarily resigned her employment with the Department of Children's Services. She was not coerced into resignation nor was she constructively discharged. **Defendant** submits that at no time was **Plaintiff** subjected to disparate treatment, retaliation or a hostile work environment. **Defendant** denies violations of the **Tennessee Whistle Blower Act, the Sex Discrimination and Employment Act, and 42 U.S.C. 1983.**

C. **ISSUES RESOLVED**

Jurisdiction and venue.

D. **ISSUES STILL IN DISPUTE**

Liability and damages.

E. **INITIAL DISCLOSURES**

Pursuant to **Federal Rules of Civil Procedure 26(a)(1)**, the parties shall make their initial disclosures **within (14) fourteen days** after the initial case management conference.

F. **DISCOVERY**

The parties shall complete all discovery and depose all fact witnesses on or before **October 15, 2011**. Discovery is not stayed during dispositive motions, unless

ordered by the court. **Local Rule 9(a)(2)** is expanded to allow **40** interrogatories, including sub-parts. No motions concerning discovery are to be filed until after the parties have conferred in good faith and, unable to resolve their differences, have scheduled and participated in a conference telephone call with **Judge Trauger**.

**G. MOTIONS TO AMEND**

The parties shall file all motions to amend on or before **July 1, 2011**.

**H. DISCLOSURE OF EXPERTS**

The Plaintiff shall identify and disclose all expert witnesses and expert reports on or before **July 30, 2011**. The Defendant shall identify and disclose all expert witnesses and expert reports on or before **October 1, 2011**.

**I. DEPOSITIONS OF EXPERT WITNESSES**

The parties shall depose all expert witnesses on or before **October 21, 2011**.

**J. JOINT MEDIATION REPORT**

The parties shall file a joint mediation report on or before **October 20, 2011**.

**K. DISPOSITIVE MOTIONS**

The parties shall file all dispositive motions on or before **December 12, 2011**. Responses to dispositive motions shall be filed within **twenty (20) days** after the filing of the motion.

Optional replies may be filed within **ten (10) days** after the filing of the response. Briefs shall not exceed **twenty (20)** pages. No motion for partial summary judgment shall be filed, except upon leave of the Court. Any party wishing to file such a motion shall first file a separate motion that gives justification for filing a partial summary judgment motion, in terms of overall economy of time and expenses for the parties, counsel and the court.

**L. ELECTRONIC DISCOVERY**

The parties anticipate no electronic discovery.

**M. ESTIMATE TRIAL TIME**

The parties expect the trial to last approximately 4 days.

**It is so ORDERED.**

  
**JUDGE ALETA TRAUGER**

**APPROVED FOR ENTRY BY:**

**s/John Wayne Allen**

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